

Freedom Court Reporting, Inc

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1 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
2 MARSHALL DIVISION
Case No. 2:08-cv-422 TJW
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DEPOSITION OF BETHANY J. MAYNARD

5 July 16, 2010
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7 PATTY BEALL, MATTHEW MAXWELL, TALINA McELHANY and
KELLY HAMPTON, individually and on behalf of all others
8 similarly situated,

9 Plaintiffs,

10 vs.

11 TYLER TECHNOLOGIES, INC., and EDP ENTERPRISES, INC.,

12 Defendants.
13 -----

14 APPEARANCES:

15 ZELBST, HOLMES & BUTLER, by
16 Ms. Chandra L. Holmes Ray
P.O. Box 365
17 411 Southwest Sixth Street
Lawton, Oklahoma 73502
18 Appeared on behalf of the Plaintiffs.

19 MORGAN, LEWIS & BOCKIUS, LLP, by
Mr. Paulo B. McKeeby
20 1717 Main Street, Suite 3200
Dallas, Texas 75201
21 Appeared on behalf of the Defendants.
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1 out with I believe I have excelled in suggesting
2 new and improved procedures especially for
3 communication purposes within Outlook. What new
4 and improved procedures did you mean?

5 A I don't remember.

6 Q But Outlook was -- is that just --

7 A That's e-mail.

8 Q -- e-mail? So you're talking, I take it -- I
9 understand you don't remember the specific improved
10 procedure, but something to do with communications
11 internal to Tyler as opposed to customers?

12 MS. HOLMES RAY: Objection to form.

13 THE WITNESS: I don't know.

14 BY MR. MCKEEBY:

15 Q Did Tyler use Outlook while you were there?

16 A Yes.

17 Q The last sentence says specific to implementation,
18 I have made a few comments as to changes I would
19 like to see to project plans and have had the
20 freedom to develop my own training procedures for
21 Office and Crystal modules where procedures were
22 not -- I'm sorry -- are not as well defined. Did I
23 read that correctly?

24 A Yes.

25 Q When you say you made comments as to changes you

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1 would like to see to project plans, was that
2 with -- meaning that to the format of the plans or
3 different types of information you want -- would
4 have liked to see included in the plans?

5 A Additional detail and again specific to -- or
6 specifically that would rely upon the client size and
7 the breadth of services.

8 Q And who did you make those recommendations to? To
9 Jane?

10 A I don't remember specifically, but Jane being my
11 immediate supervisor it would have been to her.

12 Q And when it says you have had the freedom to
13 develop my own training procedures for Office and
14 Crystal modules -- First of all, what's an Office
15 module refer to?

16 A We have had an integration piece which integrated
17 Word, Excel -- I think that was it -- into our
18 software basically allowing customers to click a
19 button and export data directly to a mail merge or to
20 an Excel spread sheet. So I trained users on the
21 integration between Munis and these Office pieces and
22 also what to do with the data once it got there.

23 Q Is there anyone that still works at Tyler with whom
24 you regularly communicate?

25 A Jane Grant.

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EXHIBIT 38

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1 A Yes, but not out of -- it wasn't -- there was no
2 exclusivity. It was just the size of the client and
3 their requirements at the time so-.

4 Q How long a period of time would that have been?

5 A I'd say probably the last year of my employment with
6 Munis.

7 Q And do you agree with her statement at the end of
8 that section where she says that Beth has worked
9 with me to develop new plans and schedules for this
10 client and is willing to provide suggestions for
11 making this project a success?

12 A I'm not sure what she means by plans and schedules
13 anymore than just relaying information, X number of
14 people need to be trained, this many people need to
15 be trained on this module, so that would assist her
16 in planning a training schedule.

17 Q And she says you were willing to provide
18 suggestions for making this project a success. Do
19 you agree with that?

20 A Yes, I signed it so-. I can't speak to what she
21 means there, but I wanted the project to be a
22 success, certainly.

23 Q Did you -- When you were first hired by Tyler, did
24 you go through any type of formal training?

25 A No.

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STATE OF WISCONSIN)
SS.
MILWAUKEE COUNTY)

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I, Elaine A. Thies, RPR and Notary
Public in and for the State of Wisconsin, do hereby
certify that the preceding deposition was recorded by
me and reduced to writing under my personal
direction.

9 I further certify that said deposition
10 was taken at Gramann Reporting, Ltd., 710 North
11 Plankinton Avenue, Milwaukee, Wisconsin, on the 16th
12 day of July, 2010, commencing at 9:45 a.m. and
13 concluding at 12:06 p.m.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

19 In witness whereof, I have hereunto
20 set my hand and affixed my seal of office on this
21 26th day of July, 2010.

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ELAINE A. THIES - Notary Public
In and for the State of Wisconsin

My commission expires 1-12-14.